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19 UNITED STATES DISTRICT COURT
20
21 NORTHERN DISTRICT OF CALIFORNIA
22
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.,
25 Plaintiff,
26 v.
27 GOOGLE INC.,
28 Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF DAVID ZIMMER IN
SUPPORT OF GOOGLE INC.'S MOTION
FOR SUMMARY JUDGMENT RE
COPYRIGHT DAMAGES**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

1 I, David Zimmer, declare as follows:

2 1. I am an associate in the law firm of Keker & Van Nest LLP, counsel to Google
3 Inc. ("Google") in the present case. I submit this declaration in support of Google Inc.'s Motion
4 for Summary Judgment Re Copyright Damages. I have knowledge of the facts set forth herein,
5 and if called to testify as a witness thereto could do so competently under oath.

6 2. Attached hereto as **Exhibit A** is a true and correct copy of Oracle America, Inc.'s
7 Initial Disclosures, served on December 2, 2010.

8 3. Attached hereto as **Exhibit B** is a true and correct copy of Oracle America, Inc.'s
9 Supplemental and Amended Initial Disclosures, served on June 3, 2011.

10 4. Attached hereto as **Exhibit C** is a true and correct copy of Oracle America, Inc.'s
11 Second Amended Initial Disclosures, served on August 10, 2011.

12 5. Attached hereto as **Exhibit D** are true and correct copies of excerpted pages from
13 Plaintiff's Responses and Objections to Defendant Google Inc.'s First Set of Interrogatories to
14 Plaintiff Oracle America, Inc. (Nos. 1-10), served on January 6, 2011.

15 6. Attached hereto as **Exhibit E** are true and correct copies of excerpted pages from
16 Plaintiff's Supplemental Responses to Defendant's Interrogatories, Set No. 1 (Interrogatory Nos.
17 1-10), served on April 25, 2011.

18 7. Attached hereto as **Exhibit F** are true and correct copies of excerpted pages from
19 Plaintiff's Supplemental Responses to Defendant's Interrogatories, Set No. 1 (Interrogatory Nos.
20 1-10), served on July 29, 2011.

21 I declare under penalty of perjury that the foregoing is true and correct and that this
22 declaration was executed at San Francisco, California on May 12, 2012.

23
24 By: /s David Zimmer
25 DAVID ZIMMER
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